enterprise privacy office
INFORMATION SHARING

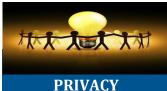» **Organizations share information for various reasons, including sharing that is mandated by law and sharing with vendors contracted to assist the organization in fulfilling its mission. Each party's roles and responsibilities in protecting shared information should be documented in contracts or agreements.**

Review with your procurement officer the latest version of the State Fiscal Accountability Authority Procurement Services "Procurement Compendium" and "Tables of Clauses" (http://www.mmo.sc.gov/PS/legal/PS-legal-proc-docs.phtm) to identify standard legal clauses containing references to privacy and security. In addition, consider these questions:

- How is the Agency ensuring the recipient's staff receive privacy and security training before the Agency provides the recipient access to sensitive information?

- In case of a data breach, have the following been clearly defined?

  - What constitutes a data breach;

  - To whom, and when, a suspected breach is to be reported;

  - Which party is responsible for breach notifications, which party will bear the associated costs, and which party will have final approval of the content of communications to affected individuals and governmental authorities;

  - Which party has the final authority to review and approve: the remedial services provided to individuals whose information has been put at risk; the third party's breach mitigation plan; and the plans of action to reduce future risk.

- How often will the contract or agreement be reviewed by all parties? Quarterly? Annually?

- At the end of the contract or agreement, how will data in the possession of the recipient be handled? Will it be returned, retained, securely disposed of, and/or securely destroyed?

- What are the procedures for maintaining the chain of custody during the physical transit of sensitive data?

PRIVACY
POWER –UP !

What Are
Privacy Power-Ups?

- Tips to *ENERGIZE* privacy program implementation

- Pointers on information privacy safeguards, training techniques, and compliance activities

- Synopses of privacy hot topics, research, and technologies

- Tools for Agency privacy liaisons to increase privacy awareness and establish information privacy protections

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DEPARTMENT *of* ADMINISTRATION